

## WA WHS-Model Regulations and Codes of Practice – Jeff Simpson Submission

Dear WA WHS Regs & Codes Submission Manager,

I have been through the on-line survey to see the sort of questions and information that you are after.

I was concerned as I did not see questions about the costs to NOT implement the WHS Regulations into WA included. This non-inclusion will lead to bias in the results.

I raised this concern in my Hazmat & Environment Notes newsletter in June 2012 after Victoria decided not to go ahead with implementing the WHS Regulations and Codes.

*“Editor’s Comment:* The Price Waterhouse Coopers review cost of \$3.4B (the basis for not proceeding) was done in a very basic way and did not mention the cost to small business to NOT implement the Hazardous Chemicals part of the WHS Regulations. Particularly in a couple of years when their ability to sell chemicals interstate may be restricted by not having come up to speed with GHS SDS and Labels at the same time as businesses in other States. This is unlikely to affect big chemical businesses, or subscribers to these Note, as they will more quickly realise this, and act sooner.”

I would like to re-iterate my concern for small business in WA, if the WA WHS Regulations and Codes are not implemented in a timely manner, reasonably consistent with other States, Territories and Authorities.

In my field this means that small businesses’ ability to trade both interstate and internationally will be restricted, if they have not re-classified and re-labelled their chemical products that are hazardous chemicals to the GHS criteria.

A particular group of chemicals of concern is where the GHS classification captures a wider scope of chemical products as hazardous (particularly for those products that have R41 ingredients in the 1-5% range) where currently they are not classified as hazardous substances.

Such products will come to WA classified as hazardous and a decision will need to be made in WA of how to handle them. Plus for WA formulated products being delivered into States/Territories without the GHS classifications, these differences will cause unnecessary problems to be fixed, if these businesses want to continue to have a market across Australia.

In the more general area of the WHS Regs and Codes, Australia wide companies handling WHS issues will need to manage and train for WA with a different set of WHS Regs and Codes. This clearly adds to costs to operate and is one of the main drivers for having the Model WHS Regs and Codes.

Regards

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